

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|--|---|---------------------|
| <b>PAUL Q. GRIFFIN,</b>                | : | <b>CIVIL ACTION</b> |
| <b>Petitioner,</b>                     | : |                     |
|  | : |                     |
| <b>v.</b>                              | : | <b>NO. 10-4570</b>  |
|  | : |                     |
| <b>COMMONWEALTH OF PENNSYLVANIA,</b>   | : |                     |
| <b>THE DISTRICT ATTORNEY OF THE</b>    | : |                     |
| <b>COUNTY OF PHILADELPHIA, and THE</b> | : |                     |
| <b>ATTORNEY GENERAL OF THE STATE</b>   | : |                     |
| <b>OF PENNSYLVANIA,</b>                | : |                     |
| <b>Respondents.</b>                    | : |                     |

**ORDER**

**AND NOW**, this 8th day of August, 2012, upon consideration of *pro se* petitioner's Motion for Relief from Order of July 14, 2011 (Document No. 18, filed September 29, 2011), *pro se* petitioner's Motion for Leave to File Amended Motion for Relief from Order of July 14, 2011, or Amended Petition for Writ of *Habeas Corpus* (Document No. 20, filed October 12, 2011), the Supplemental Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski dated June 14, 2012 (Document No. 28, filed June 14, 2012), and *pro se* petitioner's Objection to Supplemental Report and Recommendation (Document No. 32, filed July 30, 2012), **IT IS ORDERED** as follows:

1. The Supplemental Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski dated June 14, 2012, is **APPROVED** and **ADOPTED**;
2. *Pro se* petitioner's Objection to Supplemental Report and Recommendation is **OVERRULED**;
3. *Pro se* petitioner's Motion for Leave to File Amended Motion for Relief from Order of July 14, 2011, or Amended Petition for Writ of *Habeas Corpus*, is **DISMISSED WITHOUT PREJUDICE** to petitioner's right to seek authorization from the United States Court of Appeals

for the Third Circuit to file a second or successive petition pursuant to 28 U.S.C. §2244(b)(3)(A);

4. *Pro se* petitioner's Motion for Relief from July 14, 2011, is **DENIED**;

5. A certificate of appealability will not issue because reasonable jurists would not debate whether the petition states a valid claim of the denial of a constitutional right or this Court's procedural rulings with respect to petitioner's claims. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473, 484 (2000).

**BY THE COURT:**

**/s/ Jan E. DuBois**

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**JAN E. DUBOIS, J.**